

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65062 of 2021

Arising Out of PS. Case No.-110 Year-2019 Thana- DANDARI District- Begusarai

Bam Bam Mahto @ Ram Pravesh Mahto, S/o Late Horil Mahto, R/o village-
Samsa, P.S.- Nawkothe, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 04-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Dandari P.S. Case No. 110 of 2019 registered for the alleged offences under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the husband of the informant was called out from his house by the petitioner and he was shot dead and his dead body was thrown into the River.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The FIR has been lodged after a delay of two days. The allegations against the petitioner are general and omnibus and no specific overt act has been alleged against this petitioner. Similarly situated co-accused Vinod Mahto was granted bail by this court vide order dated 2.06.2020 passed in Cr. Misc. 7118 of 2020. The petitioner is in custody since 09.09.2020.

Learned APP has opposed the prayer for bail submitting that the petitioner is accused in a number of cases and he is a habitual offender.

Perused the records.

Having regard to the facts and circumstances and the submissions made hereinabove and considering the fact that the petitioner has been named by the informant in the FIR itself as one of the persons who shot dead the husband of the informant along with post mortem report which shows a number of firearm injuries on the person of the husband of the informant, I am not inclined to grant bail to the petitioner. Hence, the prayer for bail is rejected.

However, the trial court is directed to expedite the trial and conclude the same preferably within a period of one year.

If the trial is not concluded within a period of one



year, then the petitioner may renew his prayer for bail.

V.K.Pandey/-

(Arun Kumar Jha, J)

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